

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS BEALE,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 13-15 Erie
v.	)	
	)	
JOHN E. WETZEL, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on January 14, 2013 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrate Judges.

The Magistrate Judge's oral Report and Recommendation entered on the record on July 23, 2013 [ECF No. 27] pp. 14-15, recommended that the Plaintiff's Motions for Preliminary Injunction [ECF No. 3] and [ECF No. 4] be denied. The parties were allowed fourteen (14) days from the date of service to file objections. Plaintiff filed objections on August 5, 2013 [ECF No. 28] and [ECF No. 30].<sup>1</sup> After de novo review of the documents and transcript of the proceedings, together with the oral Report and Recommendation, the following order is entered:

AND NOW, this 6<sup>th</sup> day of August, 2013;

IT IS HEREBY ORDERED that the Plaintiff's Motions for Preliminary Injunction [ECF No. 3] and [ECF No. 4] are DENIED.

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<sup>1</sup> Plaintiff also filed objections [ECF No. 29] relating to his motion for preliminary injunction requesting that he be seen by an outside specialist for his asthma. See [ECF No. 11]. Because this motion has not been ruled on by the Magistrate Judge, we do not consider the Plaintiff's objections. See [ECF No. 27] pp. 17-20.

The oral Report and Recommendation [ECF No. 27] pp. 14-15 of Magistrate Judge Baxter, entered on the record on July 23, 2013, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
Chief United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge